

**RICHARDS  
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**VIA E-FILING**

The Honorable Leonard P. Stark  
United States Magistrate Judge  
United States District Court  
For the District of Delaware  
844 North King Street  
Wilmington, DE 19801

**Re: *Forest Laboratories, Inc. v. Cobalt Laboratories, Inc., et al.*, C.A. No.  
08-21-GMS-LPS (Consolidated)**

Dear Judge Stark:

In response to Your Honor's request at the Scheduling Conference earlier today, the thirteen consolidated defendants agree that the latest date for the statutory expiration of the 30 month stay, as extended pursuant to 21 U.S.C. § 355(c)(3)(E)(ii), is April 16, 2011.

The defendants note, however, that the stay will terminate earlier upon a finding of non-infringement or invalidity by this Court.

As stated at the conference this morning, Defendants believe that an early Markman hearing is the best way to secure a speedy and inexpensive resolution of this action. If Your Honor has further questions concerning Defendants' position, counsel is available at the Court's convenience.

Respectfully,



Kelly E. Farnan

KEF:kef

cc: Clerk of the Court (via Hand Delivery)  
All Counsel of Record (Via Electronic Mail)